REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-8 are presently active in this application.

In the outstanding Official Action, Claims 1, 3, 4/1, 4/3, 5, 7, 8/5, and 8/7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sakaguchi (U.S. Patent No. 6,141,568). Claims 2 and 6 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sakaguchi in view of Yoshinori (JP 9-252342).

Applicant thanks the Examiner for the courtesy of the interview granted to Applicant's representatives on April 21, 2004. During the interview, differences between the claims and the cited references were discussed. Examiner Chang agreed to reconsider the claims after formal submission of the present response.

With regard to the rejection of Claim 1 under 35 U.S.C. §103(a) as being unpatentable over Sakaguchi, Applicant respectfully traverses the rejection.

Claim 1 recites a communication terminal apparatus capable of receiving information from a communication system network comprising, *inter alia*, "a detector configured to detect completion of information reception by the receiving means." It is respectfully submitted that this element is neither taught nor suggested by Sakaguchi.

The outstanding Office Action concludes that Claim 1 is obvious in light of Sakaguchi based on the following statement in Sakaguchi discussing Japanese Laid Open Patent Disclosure (JP-A-Heisei 5-327587, hereinafter called "JP '587"):

> Therefore, the lighting is wasteful when the portable radio apparatus is kept without being used, when it is ready for receiving or transmitting a radio signal, and when the user does not look at the image display section. Thus, it is desirable that a backlight is turned off by means of turning-off means in the above cases so as to save the power of the battery. It is more

> desirable that the use state information is not displayed to save the battery power while the information is unnecessary.[1]

The outstanding Office Action states that "This clearly suggested to turn on the backlight in other use state, such as the time period after completion of the receiving or transmitting (during this time period, the user would need to look at the image display, and Sakaguchi clearly teaches to turn on the backlight in this state)." Applicant respectfully disagrees with this characterization of Sakaguchi and Sakaguchi's discussion of JP '587.

The above quoted portion of Sakaguchi simply states the problem known in the art, that backlighting of a display of a portable radio apparatus must be minimized to conserve battery power. Sakaguchi restates three conditions apparently disclosed by JP '587 where the backlight should be off: when the portable radio apparatus is kept without being used, when it is ready for receiving or transmitting a radio signal, and when the user does not look at the image display section. It is respectfully submitted that this statement is not a teaching or suggestion of any solution to the problem.

First, neither Sakaguchi nor apparently JP '587[2] suggest that the light should be on in all circumstances that do not meet the above conditions, only that the light should definitely be off in these conditions. To turn on the light on all circumstances not meeting the stated conditions would be wasteful of battery power, in direct contradiction to the stated purpose of the invention disclosed by Sakaguchi.

Second, Sakaguchi only discloses three conditions at which the light should be off, it does not teach or suggest a time at which the light should be turned on. It is respectfully submitted that to conclude Sakaguchi suggests that the light should be turned on in all other conditions, and thus that Sakaguchi suggests turning on the light when a detector detects

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[1]Sakaguchi, column 1, lines 28-36.
[2]To the extent that JP '587 is described in Sakaguchi.

completion of information reception, is hindsight reconstruction of Applicant's invention. It is respectfully submitted that the suggestion in the outstanding Office Action comes from the Applicant's own disclosure, rather than the prior art. "To imbue one of ordinary skill in the art with knowledge of the invention in suit, when no prior art reference or references of record convey or suggest that knowledge, is to fall victim to the insidious effect of a hindsight syndrome wherein that which only the inventor taught is used against its teacher." *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 220 USPQ 303, 312-313 (Fed. Cir. 1983).

Third, with regard to the statement in the outstanding Office Action that "Sakaguchi clearly teaches to turn on the backlight in this state," it is respectfully submitted that there is no teaching or suggestion in Sakaguchi to turn the light on in response to anything other than operation of a key by a user. Further, as discussed above, the discussion of JP '587 does not state any time at which the backlight should be turned on. It is respectfully submitted that the only place a teaching can be found to turn on the backlight when the completion of information reception is detected is in Applicant's own disclosure.

Accordingly, it is respectfully submitted that a *prima facie* case of obviousness has not been established.

On the contrary, it is respectfully submitted that Sakaguchi teaches away from the present invention. In discussing JP '587, Sakaguchi states:

> By the way, the above reference has ***no significant ideas*** as to how the CPU determines whether the portable radio apparatus is kept without being used, it is ready to receive transmission data, or it is communicating. ***Another problem to be solved remains*** ...[3] (emphasis added)

Thus, Sakaguchi indicates that there is no "significant" teaching or suggestion in JP '587 of any solution to the stated problem, much less a suggestion for a detector

[3]Sakaguchi, column 1, lines 50-53.

configured to detect completion of information reception by the receiving means, as recited in Claim 1.

Indeed, in fact Sakaguchi discloses a portable radio apparatus wherein the backlight is turned on for a predetermined period of time every time a button is pressed, and turned off at the end of this predetermined time. If a button is pressed while the light is on, the time before the light is turned off is reset. After the light is turned off, the backlight is not turned on again without a user's operation.[4] If the backlight is turned off during data reception, the user has to operate a key to turn on the backlight and check whether the data is received. Therefore, in Sakaguchi, the user may have to perform key operations many times until data reception is completed. Thus, Sakaguchi does not solve the problem of eliminating unnecessary battery use, as battery power may be wasted by turning on the display many times.

In contrast, according to the claimed invention, even if the backlight is turned off during data reception, the backlight is automatically turned on again when the data reception is completed. Therefore, the user does not have to operate the apparatus keys at all to turn on the backlight, and can avoid any waste of the battery power by unnecessarily turning on the light. There is no such teaching in Sakaguchi.

In fact, Sakaguchi does not monitor the communication state, but monitors key operation only. ***It is respectfully submitted that there is no teaching or suggestion in Sakaguchi to turn the light on in response to anything other than operation of a key by a user.*** Therefore, since Sakaguchi and apparently also JP '587[5] do not teach or suggest performing control in accordance with the communication state, it is respectfully submitted that they do not teach or suggest "a detector configured to detect completion of information

[4]See Sakaguchi, column 4, line 54, to column 6, line 23.
[5]To the extent that JP '587 is described in Sakaguchi.

reception by the receiving means," as recited in Claim 1. Since Sakaguchi does not teach or suggest each and every element of Claim 1, it is respectfully submitted that Claim 1 and Claim 4 dependent therefrom patentably define thereover.

Independent Claim 3 recites similar elements to Claim 1. It is respectfully submitted that Claim 3 is patentable over Sakaguchi for the reasons discussed above with respect to Claim 1.

Independent Claims 2 and 6 recite similar elements to Claim 1. It is respectfully submitted that Yoshinori cures none of the above-noted deficiencies of Sakaguchi, and thus Claims 2 and 6 are patentable over Sakaguchi in view of Yoshinori for the reasons discussed above with respect to Claim 1.

Claim 5 recites a communication terminal apparatus capable of receiving information from a communication system network comprising, *inter alia*:

> ...
> display control means for causing the display to display information received by the receiving means; and
> an illumination controller configured to cause the illumination means to illuminate the display, when the display control means has started display of information on the display.

As discussed above with respect to Claim 1, neither Sakaguchi nor apparently JP '587[6] teach or suggest performing control in accordance with the communication state. Thus, it is respectfully submitted that Sakaguchi does not teach or suggest "display control means" and "an illumination controller," as recited in Claim 5.

Since Sakaguchi does not teach or suggest each and every element of Claim 5, it is respectfully submitted that Claim 5 and Claim 8 dependent therefrom patentably define thereover.

[6]To the extent that JP '587 is described in Sakaguchi.

Independent Claim 7 recites similar elements to Claim 5. It is respectfully submitted that Claim 7 is patentable over Sakaguchi for the reasons discussed above with respect to Claim 5.

Accordingly, the outstanding rejections are traversed and the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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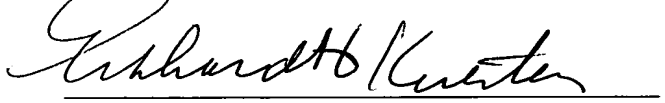

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